



Attorney Docket No. 061300-0585

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Trinkner et al.  
Title: VEHICULAR STORAGE SYSTEM  
Application No.: 10/821,634  
Filing Date: 04/09/2004  
Examiner: Winner, Tony H.  
Art Unit: 3611  
Confirmation No.: 9026

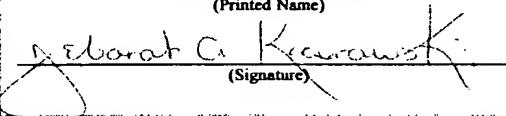
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Commissioner for Patents  
P.O. Box 1450  
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EV 904369731 US October 17, 2006  
(Express Mail Label Number) (Date of Deposit)

Deborah A. Kocorowski  
(Printed Name)

  
(Signature)

RESPONSE TO RESTRICTION REQUIREMENT TRANSMITAL

Transmitted herewith please find the following document for the above-identified patent application.

[ X ] Response to Restriction Requirement Under 35 U.S.C. § 121 (2 pages).

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By



John M. Lazarus  
Attorney for the Applicants  
Registration No. 48,367

Date 10/17/2006

FOLEY & LARDNER LLP  
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EV 962267051 US (Express Mail Label Number)	January 24, 2007 (Date of Deposit)
Deborah A. Kocorowski (Printed Name)	
 (Signature)	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE COMMUNICATION AND  
RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121**

In an Office Communication mailed on January 8, 2007, the Examiner indicated that the Applicants' Response dated October 17, 2006 to a Restriction Requirement was not fully responsive because a claim group was not elected for prosecution.

On October 17, 2006, the Applicants filed a Response to the Restriction Requirement which stated "In response to the restriction requirement, the Applicants hereby provisionally elect Group I, Claims 1-47 and 60-61, for examination, without traverse." A copy of the Applicants' Response dated October 17, 2006, along with the accompanying transmittal and the postcard bearing a receipt stamp dated October 17, 2006 is attached.

Upon review of the image file documents available in PAIR for the subject Application, it appears that only the 2-page transmittal document filed on October 17, 2006, and not the accompanying 2-page Response were entered in PAIR.

The Applicants respectfully submit that the 2-page Response to the Restriction Requirement was filed along with the transmittal document, as confirmed by the return postcard bearing the receipt stamp from the Patent Office.

This response is intended to be completely responsive to the Office Communication dated January 8, 2007 and the Restriction Requirement dated September 19, 2006.

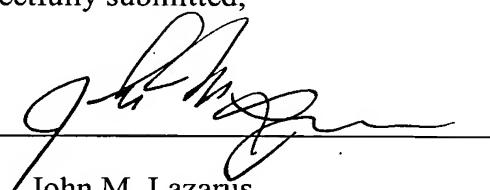
The Applicants respectfully submit that this represents an error on the part of the Patent Office, and that reduction of period of patent term adjustment should NOT be assessed to the Applicants under 37 C.F.R. § 1.704, because there was no failure of the Applicants to engage in reasonable efforts to conclude prosecution.

The Applicants have elected claim Group I for prosecution without traverse. The Applicants respectfully submit that pending Claims 1-47 and 60-61 are in condition for allowance. The Examiner is invited to contact the undersigned if the Examiner believes that a telephone interview or Examiner's Amendment would expedite prosecution on the merits.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

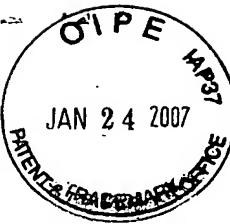
Respectfully submitted,

Date January 24, 2007

By 

John M. Lazarus  
Attorney for the Applicants  
Registration No. 48,367

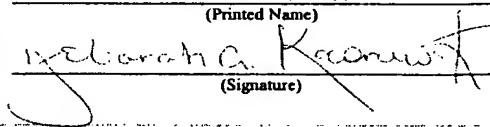
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**RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121**

In the restriction requirement set forth in the Office Action mailed September 19, 2006, the Examiner required an election of one of the following groups of claims:

Group I      Claims 1-47 and 60-61

Group II      Claims 48-59<sup>1</sup>

In response to the restriction requirement, the Applicants hereby provisionally elect Group I, Claims 1-47 and 60-61, for examination, without traverse.

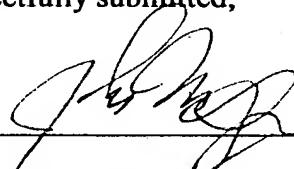
<sup>1</sup> The Applicants respectfully direct the Examiner's attention to the Office Action, which lists Group II as "Claims 36-47." The Applicants believe that the proper Group II claims are Claims 48-59.

This response is intended to be completely responsive to the Office Action. The Applicants respectfully submit that pending Claims 1-47 and 60-61 are in condition for allowance. The Examiner is invited to contact the undersigned if the Examiner believes that a telephone interview or Examiner's Amendment would expedite prosecution on the merits.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

By \_\_\_\_\_

  
John M. Lazarus  
Attorney for the Applicants  
Registration No. 48,367

Date 10/17/2006

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